

Message Text

LIMITED OFFICIAL USE

PAGE 01 BERLIN 07222 081033Z

13

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 /058 W

----- 040793

R 080830Z DEC 76

FM AMEMBASSY BERLIN

TO SECSTATE WASHDC 3726

AMEMBASSY BELGRADE

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY WARSAW

AMEMBASSY BONN

USMISSION USBERLIN UNN

USMISSION USNATO

LIMITED OFFICIAL USE BERLIN 7222

E.O.11652: N/A

TAGS: PFOR, GE, GW

SUBJECT: EAST GERMAN REACTION TO WEINHOLD ACQUITTAL

1. THE ACQUITTAL LAST WEEK OF WERNER WEINHOLD BY A WEST GERMAN COURT HAS UNLEASHED A BARRAGE OF PROTEST FROM THE GDR. WEINHOLD HAS BEEN ON THE GDR'S LIST OF MOST WANTED CRIMINALS WITH A 100,000 MARK REWARD ON HIS HEAD SINCE HE FLED TO WEST GERMANY IN DECEMBER 1975 KILLING TWO EAST GERMAN BORDER GUARDS IN THE PROCESS. BEGINNING WITH THE DECEMBER 4 EDITIONS, GDR NEWSPAPERS HAVE CARRIED A SERIES OF ARTICLES , TESTIMONIALS BY PROMINENT EAST GERMANS AND RELATIVES OF THE DEAD GUARDS AND PETITIONS BY GDR GROUPS DEMANDING WEINHOLD BE TURNED OVER TO GDR AUTHORITIES. THERE ARE TWO REASONS FOR THE INTENSE REACTION BY THE GDR TO THIS ACQUITTAL. IN THE FIRST PLACE IT COMES AT A TIME WHEN THE GDR IS TRYING TO COUNTER A WAVE OF ANTI-

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BERLIN 07222 081033Z

REGIME SENTIMENT ABROAD, AND SOME AT HOME, RESULTING

FROM THE BIERMANN EXILE AND SUBSEQUENT DOMESTIC PROTEST AMONG INTELLECTUALS AND BIERMANN SYMPATHIZERS. THE WEINHOLD CASE CAN THUS BE USED TO DEFLECT CRITICISM OF THE GDR OVER THE BIERMANN AFFAIR.

2. THE SECOND REASON IS MORE DEEP-SEATED. WEINHOLD'S ACTION IN SHOOTING HIS WAY TO THE WEST STRIKES AT THE HEART OF EAST GERMAN SENSITIVITIES ABOUT THE STATUS OF ITS BORDER WITH THE FRG. FROM THE WEST GERMAN POINT OF VIEW, THE "ORDER TO SHOOT" BY EAST GERMAN BORDER GUARDS IS ILLEGAL AND GIVES CREDENCE TO WEINHOLD'S TESTIMONY THAT HE FIRED IN SELF DEFENSE. THE EAST GERMANS ON THE OTHER HAND CITE THE SECURITY ASPECTS OF THE HELSINKI AGREEMENT AND EMPHASIZE THE NEED TO DEFEND THEIR OWN BORDERS. THE GDR CAN TRY TO HOLD UP THE WEINHOLD CASE AS A JUSTIFICATION FOR ITS BORDER POLICY AND, INDIRECTLY, AS A PARTIAL EXPLANATION FOR THE SHOOTING INCIDENTS LAST SUMMER WHICH REMAIN AN EMBARRASSMENT TO THE REGIME, THE GDR MAY FEAR THAT WEINHOLD'S ACQUITTAL COULD ENCOURAGE OTHERS WHO WANT TO LEAVE TO FOLLOW HIS EXAMPLE.

3. GDR BEHAVIOR THROUGH THE COURSE OF WEINHOLD'S TRIAL WAS ONE OF AMBIVALENCE. ON THE ONE HAND THE EAST GERMAN AUTHORITIES WANTED HIM FOUND GUILTY ALTHOUGH THEY PROBABLY NEVER EXPECTED HIM TO BE EXTRADITED. HOWEVER, THEY DISPLAYED A DISREGARD FOR THE DUE PROCESS REQUIREMENTS OF FRG LEGAL PROCEDURES BY REFUSING TO ALLOW EAST GERMAN WITNESSES TO ATTEND THE TRIAL AND ONLY SUBMITTING REPRODUCTIONS OF DOCUMENTS SUPPORTING THEIR CASE..

4. COMMENT: FROM THE GDR PROPAGANDIST POINT OF VIEW, THE WEINHOLD ACQUITTAL COULD NOT HAVE COME AT A BETTER TIME. ACCORDING TO A LOCAL PRESS CONTACT, THE SED PLANS TO SQUEEZE EVERY DROP OF PROPAGANDA IT CAN FROM THE WEST GERMAN COURT DECISION.
POLANSKY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MURDER, PROPAGANDA, COURT DECISIONS, BORDER INCIDENTS, BORDER GUARDS, GOVERNMENT REACTIONS, FUGITIVES
Control Number: n/a
Copy: SINGLE
Draft Date: 08 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: BoyleJA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BERLIN07222
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760453-0732
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761260/aaaabzhi.tel
Line Count: 97
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: BoyleJA
Review Comment: n/a
Review Content Flags:
Review Date: 07 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 APR 2004 by ShawDG>; APPROVED <02 AUG 2004 by BoyleJA>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EAST GERMAN REACTION TO WEINHOLD ACQUITTAL
TAGS: PFOR, PBOR, GC, GE, (WEINHOLD, WERNER)
To: STATE BELGRADE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006